

Docket No. 2002-6 DD 99-01
Ascertainment of Controversy of Digital Audio Recording Royalty Distribution Proceeding

Notices of Intent to Participate

1. Alicia Carolyn Evelyn
2. Broadcast Music, Inc. (BMI); The American Academy of Composers, Authors, and Publishers (ASCAP); SESAC; Harry Fox Agency (HFA); The Songwriters Guild of America (SGA)

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BEFORE THE
UNITED STATES COPYRIGHT OFFICE
LIBRARY OF CONGRESS
WASHINGTON, D.C.

GENERAL COUNSEL
OF COPYRIGHT

IN THE MATTER OF)
ASCERTAINMENT OF CONTROVERSY)
1999-2001 DIGITAL AUDIO RECORDING) DOCKET NO. 2002-6 DD 99-01
ROYALTY DISTRIBUTION PROCEEDING)

COMMENTS OF CLAIMANT, ALICIA CAROLYN EVELYN, AND NOTICE
OF INTENT TO PARTICIPATE IN THE PROCEEDINGS FOR DISTRIBUTION
OF DART MUSICAL WORKS FUND, WRITER SUBFUND ROYALTIES, 1999-2001

PRO SE CLAIMANT, ALICIA CAROLYN EVELYN, FILES THIS NOTICE
OF INTENT TO PARTICIPATE IN THE ABOVE-REFERENCED PROCEEDINGS FOR
DISTRIBUTION OF THE DART MUSICAL WORKS FUNDS, WRITERS SUBFUND,
FOR 1999, 2000, AND 2001.

A FORMER MEMBER OF THE SONGWRITERS GUILD OF AMERICA (SGA)
AND OF BROADCAST MUSIC, INC.(BMI), CLAIMANT STILL HAS ROYALTY
DISTRIBUTION ISSUES WITH THESE AGENCIES AND WITH THE AMERICAN
SOCIETY OF COMPOSERS, AUTHORS AND PUBLISHERS (ASCAP), TO WHICH
I CURRENTLY BELONG, ISSUES WHICH ALSO INVOLVE LOST SONGS. THESE
AND OTHER UNRESOLVED ISSUES ARE AS DETAILED IN THE FIRST TWO
DART DISTRIBUTIONS. ADDITIONAL ISSUES ARE INCLUDED ON AN ATTACH-
ED SHEET AND ARE RELATIVE TO THESE PROCEEDINGS.

TO DATE, NO SETTLEMENT HAS BEEN REACHED WITH THE SETTLING
PARTIES. GREATER CONTROVERSY EXISTS.

RESPECTFULLY SUBMITTED,

Alicia Carolyn Evelyn

ALICIA CAROLYN EVELYN
10 HIGHLAND AVENUE
BINGHAMTON, NEW YORK 13905
(607) 797-2286

SEPTEMBER 12, 2001

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ADDITIONAL COMMENTS OF CLAIMANT, ALICIA CAROLYN EVELYN

INDIVIDUAL CLAIMANTS ARE BEING DENIED PARITY AND JUST ARBITRATION.

1. "SETTLING PARTIES" WERE NOT REQUIRED TO SERVE US WITH THEIR MOTION FOR PARTIAL DISTRIBUTION OF 95% OF THE MUSICAL WORKS FUNDS.
2. INDIVIDUAL CLAIMANTS MUST VISIT THE COPYRIGHT OFFICE TO VIEW AND COPY THE UNSERVED MOTION , IN ORDER TO RESPOND TO IT.
3. PER THE FEDERAL REGISTER, THE OFFICE CONSOLIDATED THE DISTRIBUTIONS INTO A SINGLE PROCEEDING "IN ORDER TO ADDRESS THE MERITS OF THE SETTLING PARTIES' MOTION FOR PARTIAL DISTRIBUTION..."
4. CONTRARY TO ASSERTIONS IN THE FEDERAL REGISTER, MOTIONS RE PARTIAL DISTRIBUTION AND CONSOLIDATION WERE SERVED IN TWO PRIOR CASES.
5. SEVEN IN THE FIRST, SIX IN THE SECOND (WITH "RIGHTS" OF THE SEVENTH SUBSUMED) AND NOW, FIVE UNENTITLED AGENCY-DISTRIBUTORS CONSTITUTE THE SETTLING PARTIES, A SIGNIFICANT CHANGE REVEALED IN THE MOTION ALSO ADVISING THE FIVE HAD REACHED A CONFIDENTIAL SETTLEMENT.
6. EXCEPT TO COLLECT AND DISTRIBUTE DART FUNDS TO MEMBERS WHO HAVE EARNED DART THROUGH SALES OR PERFORMANCES, MEMBERS OF THE SETTLING PARTIES HAVE NO RIGHTS TO DART, NO VESTED INTEREST IN DART, AND ARE ALLOWED A CONFIDENTIAL SETTLEMENT ONLY IF THERE IS NO CONTROVERSY. OTHERWISE, COPYRIGHT LAW, AHRA, CHAPTER 10, §1006, IS APPLICABLE TO DETERMINATION OF EACH AND ALL CLAIMANTS' SHARES.

INDIVIDUAL CLAIMANTS OBJECT TO DISTRIBUTION OF ANY DART FUNDS TO THE SETTLING PARTIES BASED ON THEIR UNSERVED MOTION, THEIR FAILURE TO DETERMINE THE EARNINGS OF THOSE THEY REPRESENT, FOREIGN AND DOMESTIC, AND FAILURE TO FULLY REPORT THE DISTRIBUTION NUMBERS. WHILE CONTROVERSY EXISTS, THE LAW REQUIRES APPLICATION OF §1006. TO DATE, THERE IS STILL CONTROVERSY. WE HAVE NOT YET REACHED SETTLEMENT.

RESPECTFULLY SUBMITTED,

Alicia Carolyn Evelyn

ALICIA CAROLYN EVELYN

PRO SE CLAIMANT

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